



Rahm Emanuel
Mayor

Department of Police · City of Chicago
3510 S. Michigan Avenue · Chicago, Illinois 60653

Eddie T. Johnson
Superintendent of Police

December 10, 2018

Via Email:

Jake Ader
57274-92746746@requests.muckrock.com

RE: NOTICE OF RESPONSE TO FOIA REQUEST
FOIA FILE NO.: P452725

Dear Jake Ader:

The Chicago Police Department (CPD) is in receipt of your Freedom of Information Act (FOIA) request for the following:

"Any E-mail Messages or internal documents disseminated by the Crime Prevention Information Center (CPIC) from July 1st, 2018 to August 1st, 2018 mentioning the following groups and campaigns:

- AbolishICE or #AbolishICE
- OccupyICE or #OccupyICE
- OccupyICE Chicago or #OccupyICEChicago
- DeportICE or #DeportICE
- Keep Families Together or #KeepFamiliesTogether."

Your request was reviewed by the undersigned in collaboration with the Department's Information Services Division. It was determined that your request is granted in part. CPD is providing you with the Crime Prevention Information Center (CPIC) emails responsive to your request.

Please be advised that certain information has been redacted from the enclosed responsive records pursuant to 5 ILCS 140/7 (1)(v). Details of the redactions are set forth below.

Daily briefings and terrorism-related briefings within the responsive emails have been redacted pursuant to 5 ILCS 140/7(1)(v). Section 7(1)(v) exempts from inspection and copying the following:

"Vulnerability assessments, security measures, and response policies or plans that are designed to identify, prevent, or respond to potential attacks upon a community's population or systems, facilities, or installations, the destruction or contamination of which would constitute a clear and present danger to the health or safety of the community, but only to the extent that disclosure could reasonably be expected to jeopardize the effectiveness of

the measures or the safety of the personnel who implement them or the public. Information exempt under this item may include such things as details pertaining to the mobilization or deployment of personnel or equipment, to the operation of communication systems or protocols, or to tactical operations.”

The release of these daily briefings and terrorism-related briefings would constitute a clear and present danger to the health or safety of the community and the disclosure could reasonably be expected to jeopardize the effectiveness of the vulnerability assessments or the safety of the personnel who implement them to the public. Therefore, the records are exempt pursuant to Section 7(1)(v).

Please be advised that the attachments of Homeland Security Briefings are denied pursuant to 6 U.S.C. § 482(e). As it pertains to U.S. Government’s products and information on terrorism issues, 6 U.S.C. § 482(e) provide that homeland security information obtained by a state or local government from a federal agency “shall remain under control of the Federal agency, and a State or local law authorizing or requiring such a government to disclose information shall not apply to such information.” Accordingly, Homeland Security Briefings are exempt from disclosure pursuant to 7(1)(a) and were properly withheld from the responsive records.

Per this statute, federal agency-provided homeland security information is preempted from release under a state public records disclosure law. Documents that are entirely homeland security information are excluded from production, and those mixed documents with only partial homeland security information will have that information redacted as excluded. These redactions are specifically not made as exemptions under state law, but as exclusions by federal law. A requester seeking this information must file a federal FOIA request with the appropriate federal agency. Therefore, attachments of Homeland Security Briefings were properly withheld pursuant to 6 U.S.C. § 482(e). Because this statute prohibits the release of the materials you request, they are exempt under Section 7(1)(a) of FOIA, which exempts “Information specifically prohibited from disclosure by federal or State law or rules and regulations implementing federal or State law.” 5 ILCS 140/7(1)(a).

If I can be of further assistance, please contact me at the following address:

Chicago Police Department
Attention: Freedom of Information
Office of Legal Affairs, Unit 114
3510 S. Michigan Avenue
Chicago, IL 60653
foia@chicagopolice.org

You have a right of review by the Illinois Attorney General’s Public Access Counselor, who can be contacted at 500 S. Second St., Springfield, IL 62706. You may also seek judicial review under 5 ILCS 140/11.

Sincerely,

A. Marlan
Freedom of Information Act Officer
Chicago Police Department

Office of Legal Affairs, Unit 114
3510 S. Michigan Ave.
Chicago, IL 60653